



SALLY GEPP KC
BARRISTER

TAHIMANA REFERRAL APPLICATION – ATTACHMENT 1

DATED: 19 December 2025

2.2 Project description and location

2.2.1 Project description

Brief project description for inclusion in referral order

1. The project is:

To subdivide land at Stagecoach Road, Tasman to produce 145 allotments, of which 141 allotments will be developed for a dwelling house. The project includes:

- *associated infrastructure (roads, wastewater system, stormwater detention ponds and public reticulated water supply)*
- *significant upgrades to Stagecoach Road and shared pathways*
- *significant restoration of wetlands*
- *all associated earthworks, discharges, stream and wetland works*

Vision and objectives for project

2. Tahimana is shovel ready to deliver its project vision: a master-planned community that is representative of a full range of ages and socio-economic groups, with a range of housing types and price points, ensuring that there are opportunities not only for those seeking a lifestyle block for a larger home but also affordable opportunities for housing for first home buyers, families, extended families and older community members downsizing to have an option to live outside of urban surroundings. The vision is a development that fosters a sense of community, preserves open space and wetlands, and includes a village green which connects into a walkway/cycleway through the development. The goal is a development where there is harmony between the site's natural assets and the people that live within it.
3. That project vision links to the following objectives, which the project will deliver:
- a. A network of green corridors containing wetland areas interspersed with neighbourhood areas that are connected ecologically and where appropriate, through walkway/cycleway corridors within the development for the benefit of those living within the development and for the wider community to access.
 - b. A variety of lots sizes ranging from residential size allotments through to lifestyle allotments providing for a full range of price points and appealing to

a diverse resident population, both in terms of age and socioeconomic groups.

- c. Minimising earthworks and land disturbance to generally maintain the contour of the land and ensure the important ecological corridors are protected.
- d. Creating landmarks and focal points through the development, ensuring there are opportunities to tell the story of the area, in particular the cultural stories of local iwi.
- e. Retaining and enhancing existing waterways and wetlands through avoiding development in the gully areas, focusing development on the spur areas surrounding the gullies and restoring the margins of the waterways and wetlands with appropriate restoration planting
- f. Providing good linkages to and from the site for a range of transport modes, with an emphasis on walkways and cycleways connecting with Mapua and Tasman for services including schools.
- g. Providing a Village Green as a focal point for the Community, as a gathering and recreation area

Project detailed description

4. As shown on the Scheme Plan (**Attachment 3**), the project will consist of 145 allotments, of which 141 will be developed for a dwelling:
 - a. 97 lots between 600 and 1000 m²
 - b. 4 lots between 1001 and 4000 m²
 - c. 25 lots between 4001 and 8000 m²
 - d. 7 lots between 8001 to 12,000 m²
 - e. 5 lots between 12,001 and 20,000 m²
 - f. 3 lots greater than 20,001 m²
 - g. 2 large lots known as Rural Conservation Lots encompassing the main wetlands areas and also containing a dwelling. These lots are 11.4 ha and 5.6 ha.
 - h. A 3000 m² public reserve space to be vested in Council
 - i. Infrastructure allotments: one utility lot (water tank) and two allotments for the communal wastewater system including disposal fields.
5. The project includes:

- a. Infrastructure associated with the subdivision and development including roads, parking, and infrastructure for water supply, wastewater and stormwater
- b. Subdivision amenity planting
- c. Extensive wetland restoration as shown in Attachment 17 Graphic Attachment.
- d. Significant upgrades to Stagecoach Road and associated walking/cycling infrastructure (Described in Attachment 15 Traffic Assessment)

2.3 Ineligible activities

1. The project does not involve any ineligible activities.
2. The following additional explanation is relevant. Wastewater from 101 allotments will be connected to a communal onsite wastewater treatment system which involves discharging treated effluent to land via a sub-surface dripper irrigation. The proposed disposal field is located on land owned by the New Zealand Transport Agency (Registered title 600148, Legal description: Section 34, SO 440 217). NZTA has confirmed that it will grant a License to Occupy for the disposal field (Attachment 12)
3. The definition of “ineligible activities” includes:
 - (j) an activity that—
 - (i) would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority; and
 - (ii) has not been agreed to in writing by the person or persons in whom the reserve is vested:
 - (k) an activity that—
 - (i) would occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority; and
 - (ii) has not been agreed to in writing by the person or persons responsible for managing it
4. The NZTA land is not a reserve held under the Reserves Act 1977. It was taken as severance under s 119(1) Public Works Act 1981 and vested as stopped Government Road under s 119(4) on 11 October 2012, upon the publication of Gazette Notice 2012-In6441.
5. The Reserves Act 1977 defines “reserve” as “land set apart for any public purpose” but “does not include – (j) any land taken or otherwise acquired or set apart under the Public Works Act 1981 or any corresponding former Act, whether before or after the commencement of this Act, for any purpose not specified in paragraph (i)”. Paragraph (i) is “any land taken or otherwise acquired or set apart by the Crown under the Public Works Act 1981 or any corresponding former Act, whether before or after the commencement of this Act, for the purposes of a reserve, a recreation ground, a pleasure ground, an agricultural showground, or a tourist and health

resort". The NZTA land was not taken for one of the purposes specified in (i), and therefore comes within clause (j) and is excluded from the definition of "reserve".

6. For completeness, the applicant also notes that:
 - a. the NZTA land is subject to a right of first refusal "RFR" under three Settlement Acts (Ngāti Apa ki te Ra To, Ngāti Kuia, and Rangitane o Wairau Claims Settlement Act 2014; Ngāti Toa Rangatira Claims Settlement Act 2014 and Ngāti Koata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu and Te Ātiawa o Te Waka-a Maui Claims Settlement Act 2014). This does not bring it within any of the criteria for an ineligible activity.
 - b. The RFR does not affect NZTA's ability to grant the license to occupy, because the license is not a "disposal" as defined in subpart 4 of Part 3 of those Acts.
 - c. Reliance on the licence to occupy does not result in inconsistency with existing Treaty settlements (relevant under s 7 FTAA).

2.6 Appropriateness for Fast-track approvals process

2.6.1 *The criteria for accepting a referral application is that the project is an infrastructure or development project that would have significant regional or national benefits. Explain how this project satisfies the criteria.*

1. The Project will contribute significant regional benefits to the Tasman region.

Significant housing benefits

2. Tasman is the least affordable region for housing in New Zealand (Nelson Tasman Annual Monitoring Report, December 2025). The applicant is shovel ready with contractors and builders available to start work once consent is granted.
3. The Project will contribute 141 new lots to the Tasman housing market, with the aim being to deliver:
 - a. 70% affordable family homes
 - b. 30% mid-range section sizes/house designs.
4. As set out in the Developer Statement (Attachment 6), the family-focussed development will provide a range of lot sizes to promote affordability and attract a diverse community, within a network of green corridors and spaces to create a well-connected neighbourhood both ecologically and for residents.
5. The site is owned by the developers, who have the necessary resources and experience required to transform this development from bare land to a fully developed subdivision delivering homes within a short period of time.
6. The rural lifestyle market is distinct within the Tasman District/region, providing housing primarily for middle-higher-income/wealth retiree/semi-retiree and work-from-home households. This market accounts for approximately 15% of the total residential market in Tasman, with demand for an additional 85 dwellings annually.

Urban Economics considers that the proposal will make a significant contribution towards the efficient function of the rural lifestyle market by adding a relatively large development, which would contribute towards ensuring a wider range of housing is available to the market. The proposal represents a 120% increase in the current and pipeline dwelling supply, more than doubling the number of years of capacity in this market. The proposal represents a net addition to the rural lifestyle market in the Tasman District. This is confirmed by Urban Economics' 'additive vs redistributive' analysis of new greenfield masterplanned developments in the Tasman region, which finds that the proposal would result in a net addition of 160 dwellings being added to the total housing market (i.e. it would be 114% additive).

7. The proposal is largely self-servicing for infrastructure, with wastewater fully managed onsite and only a limited connection to the Council's water network, and transport upgrades funded by the developer. This enables housing delivery with no additional reliance on, or cost to, Tasman District Council and ratepayers.
8. For those reasons, Urban Economics concludes that the project is regionally significant in terms of its housing benefits.

Significant employment benefits

9. Tasman has experienced a series of business closures over recent months, resulting in increased unemployment and many young, skilled workers leaving New Zealand for employment in Australia. As the Developers explain (Attachment 6), the Richmond West development is one of the largest in the top of the South Island, but is on schedule to conclude in 2026. Tahimana presents a critical opportunity for continuation of employment for tradespeople currently engaged in that development.
10. Urban Economics has determined that construction of the proposal will directly contribute approximately \$17.4 million to construction sector GDP and support 105 full-time equivalent (FTE) jobs. Construction of the proposal will also indirectly contribute \$19.6 million to national GDP and support approximately 120 FTE jobs. Of this indirect economic impact, the proposal would make a significant contribution towards primary sector GDP and FTE employment, contributing approximately \$8.2 million, which would support an estimated 50 FTE jobs.
11. Once constructed, it is estimated that the expenditure of future residents in the proposal would contribute approximately \$3.7 million to GDP and support 30 FTE jobs annually.
12. Urban Economics considers those economic benefits to be net economic benefits to the district/region.

2.6.2.1 Explain how referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes

1. The fast-track process offers a number of advantages in terms of certainty of outcome and time savings over the standard RMA process.
2. The application was lodged in April 2024 and there have been two very comprehensive requests for information by Tasman District Council. One of those requests required a substantial redesign of stormwater detention structures to address the Council's interpretation of provisions of the National Environmental Standard for Freshwater and the NPSFM as effectively preventing stormwater detention dams in waterways. While the applicant did not agree with that interpretation, it would have been at substantial risk if it had proceeded without a redesign because the Council's position was that:

"The functional need test has clearly not been met here. Given this, the recommendation will be to decline the proposed activity on the basis that Council has not "satisfied itself that there is a functional need for the reclamation of the river bed in that location".

3. That aspect of the application's processing alone has added months and significant expense. The applicant is concerned that additional issues and objections of that type may be raised by Council officials as the application progresses.
4. A second issue relates to the views of Council officials on the need for an extensive network of sealed walking and cycling connections. The applicant is proposing to provide connectivity and upgrades to shared paths in the vicinity of the site, but is not proposing that these be sealed. The Council has indicated that it will not support the application on that basis. This results in an unacceptable level of uncertainty for a commercial housing developer (which is shouldering the entire financial risk of the project) as to the outcome of the application if it is progressed under the RMA. Provision of upgraded, metalled shared pathways provides a local benefit that would not be achieved without the development, and not providing sealed paths is certainly not an "adverse impact" that would be sufficient for the application to be declined under s 85(3) FTAA. On that basis the project would be facilitated (in the sense that a positive consent decision is more likely) by proceeding under the fast-track process.
5. The application is now at the point where a notification decision may be made if it proceeds under the RMA process. It is anticipated that the application will be at least limited notified if it proceeds under the RMA. If so, the processing timeframe to reach a decision by Council-appointed commissioners is likely to be a further year. However, it is highly likely that the application will then be appealed to the Environment Court, in which case it could be a *further* 18 months for a decision to be released, with the result that the development may not obtain the consents it needs until mid-2028.
6. Under the Fast-track Approvals Act:
 - a. Public and limited notification is precluded and the panel is only permitted to invite comments from specified persons. The process under the Fast-track

Approvals Act for providing comment to the Panel is appropriate and adequate to enable input on how any potential effects of the project are managed.

- b. The Fast-track Approvals Act will allow the application to be processed in a more timely manner providing the consent panel with a clearer view of the design of the project.
 - c. The application does not engage any of the mandatory decline criteria in s 85. The applicant is confident that the impacts of the Project can be managed through the substantive application (design, mitigation measures and management plans) such that there are no adverse impacts that could result in a Panel exercising its s 85(3) discretion to decline the application.
7. The consenting timeframe under the fast-track process is likely to be in the order of 4 months from lodgement of the substantive application (or one year from lodgement of the referral application). This is a *significant* time saving, compared to a standard process and will enable the significant regional benefits to commence some 18 months sooner.
 8. That timing also aligns with the completion of the Richmond West development, meaning continuity of employment for tradespeople who may otherwise have to look outside the region or overseas.

2.6.2.2 Explain how referring the project to the fast-track approvals process: Is unlikely to materially affect the efficient operation of the fast-track approval process

1. The project will not materially impact the operation of the fast-track approval process. All consents sought are standard RMA approvals and the project is not complex. The applicant has been actively engaging with the relevant Māori entities and bodies (which is ongoing) and has already obtained supportive cultural impact assessments (Attachments 4 and 5). The applicant has consulted with all entities that the FTAA requires it to consult with. The applicant's advisors are familiar with fast-track processes and will be able to meet the process requirements on applicants efficiently.

2.6.2.4 Will the project deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure

1. No. The project will deliver new infrastructure that is locally significant but probably not significant at a regional scale.

2.6.2.5 Will the project increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020)?

1. Yes, the project will increase the supply of housing and address housing needs. Tasman is the least affordable region for housing in New Zealand (Nelson Tasman

Annual Monitoring Report, December 2025). The Project will contribute 141 new lots to the Tasman housing market, with the aim being to deliver:

- a. 70% affordable family homes
 - b. 30% mid-range section sizes/house designs.
2. As set out in the Developer Statement (Attachment 6), the family-focussed development will provide a range of lot sizes to promote affordability and attract a diverse community, within a network of green corridors and spaces to create a well-connected neighbourhood both ecologically and for residents.
 3. The site is owned by the developers, who have the necessary resources and experience required to transform this development from bare land to a fully developed subdivision delivering homes within a short period of time.
 4. The rural lifestyle market is distinct within the Tasman District/region, providing housing primarily for middle-higher-income/wealth retiree/semi-retiree and work-from-home households. This market accounts for approximately 15% of the total residential market in Tasman, with demand for an additional 85 dwellings annually. Urban Economics considers that the proposal will make a significant contribution towards the efficient function of the rural lifestyle market by adding a relatively large development, which would contribute towards ensuring a wider range of housing is available to the market. The proposal represents a 120% increase in the current and pipeline dwelling supply, more than doubling the number of years of capacity in this market. The proposal represents a net addition to the rural lifestyle market in the Tasman District. This is confirmed by Urban Economics' 'additive vs redistributive' analysis of new greenfield masterplanned developments in the Tasman region, which finds that the proposal would result in a net addition of 160 dwellings being added to the total housing market (i.e. it would be 114% additive).
 5. For those reasons, Urban Economics concludes that the project is regionally significant in terms of its housing benefits.
 6. The project is not within an "urban environment" and therefore NPSUD Policy 1 is not directly relevant, however the project is not inconsistent with the NPSUD goal of well-functioning urban environments. The proposal is largely self-servicing for infrastructure, with wastewater fully managed onsite and only a limited connection to the Council's water network, and transport upgrades funded by the developer. This enables housing delivery with no additional reliance on, or cost to, Tasman District Council and ratepayers, meaning that the provision of infrastructure for urban development is not adversely impacted by this project (in other words, the sequencing issues that were fatal to the Delmore project do not arise).

2.6.2.6 *Explain how referring the project to the fast-track approval process: will deliver significant economic benefits, and if so how?*

1. Yes, the project will deliver significant economic benefits.

2. Provision of housing, and particularly affordable housing, has significant economic benefits at a regional scale. Those benefits are described in 2.6.2.5 above.
3. In addition, the project will deliver significant employment benefits. Tasman has experienced a series of business closures over recent months, resulting in increased unemployment and many young, skilled workers leaving New Zealand for employment in Australia. As the Developers explain (Attachment 6), the Richmond West development is one of the largest in the top of the South Island, but is on schedule to conclude in 2026. Tahimana presents a critical opportunity for continuation of employment for tradespeople currently engaged in that development.
4. Urban Economics (Attachment 7) has determined that construction of the proposal will directly contribute approximately \$17.4 million to construction sector GDP and support 105 full-time equivalent (FTE) jobs. Construction of the proposal will also indirectly contribute \$19.6 million to national GDP and support approximately 120 FTE jobs. Of this indirect economic impact, the proposal would make a significant contribution towards primary sector GDP and FTE employment, contributing approximately \$8.2 million, which would support an estimated 50 FTE jobs.
5. Once constructed, it is estimated that the expenditure of future residents in the proposal would contribute approximately \$3.7 million to GDP and support 30 FTE jobs annually.
6. Urban Economics considers those economic benefits to be net economic benefits to the district/region.

2.6.2.7 Explain how referring the project to the fast-track approval process: Will support primary industries, including aquaculture, and if so, how?

1. The project is a housing development and does not directly support primary industries.

2.6.2.9 Explain how referring the project to the fast-track approval process: will support climate change mitigation, including the reduction or removal of greenhouse gas emissions, and if so, how?

1. The project is a housing development and does not directly support climate change mitigation.

2.6.2.10 Explain how referring the project to the fast-track approval process: will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards, and if so, how?

1. The project contributes to climate change adaptation by supporting housing in a location that is not at risk from sea level rise, and where other climate change-related risks are at most low. Climatic warming will increase the exposure of the built environment to natural hazards by exacerbating existing hazards such as

flooding and land instability. The proposed development has limited exposure to natural hazards. Pre-development, the land has low risk of being adversely affected by land instability or flooding/inundation hazards. Following development and with appropriate design inputs on stormwater controls and earthworks, the vulnerability of the project to increased natural hazards due to climate change effects will remain low.

2. The natural hazards that can potentially adversely affect large-scale land development projects are seismic shaking, land instability (erosion, falling debris, slips, subsidence) or flooding/coastal inundation. The risks of those hazards range from nil to low at this site.
3. These matters are addressed further in Attachment 8 Natural Hazards and Climate Change Report.
4. The restoration of the wetlands and streams will reduce risks arising from natural hazards beyond the site. The increase in area of dense native vegetation in and around the wetlands and streams (which are currently in pasture) will reduce the rate at which stormwater enters the system and thereby reduce the potential for flooding and erosion downstream. See Attachment 9 Ecology report.

2.6.2.11 Explain how referring the project to the fast-track approval process: Will address significant environmental issues, and if so, how?

1. The project addresses the significant environmental issue of wetland degradation. Freshwater wetlands are one of the most depleted ecosystem types in New Zealand, with 90 % having been lost nationwide. Wetlands on private land in Tasman have been severely depleted, now covering only about 5 % of their former area across the region. The majority of remaining wetlands are small, and wetlands are still being lost. There is an urgent need for retention and enhancement of freshwater wetlands, particularly on private land.
2. The project involves the protection and restoration of all wetlands on the site. The wetlands will be protected from stock and planted with native wetland plant species along with a 10 m buffer of native shrubs and trees. This will create a significant area of restored native wetland and buffering native forest habitats. Removing stock will allow the wetlands to recover from trampling and grazing. The restoration planting will create habitat for aquatic invertebrates as well as terrestrial fauna, and will improve the habitat quality in the streams for native fish by providing shade and inputs of woody debris.
3. The restoration of the wetlands and streams will also have a significant benefit for the wider catchment, including the large wetland on the adjacent property, by improving the filtering capacity of the wetlands. By improving the filtration of sediments and nutrients, reducing rates of stormwater flow, and creating shade, the restoration of the site's wetlands and streams will contribute to improved water quality in the wider catchment, including in the Moutere Inlet, which has significant ecological value. The Moutere Inlet is recognised as being nationally significant for

shore birds and wading birds and as a valuable nursery area for marine and freshwater fish.

4. This restoration project is considered by the project ecologist to provide a significant regional benefit to Tasman's wetlands. See Attachment 9 Ecology report.

2.6.2.12 *Is the project consistent with local or regional planning documents, including spatial strategies?*

1. Yes. See Attachment 10 Planning Memorandum.

3.1 Approvals required (RMA)

1. The Project requires consents under the following sections of the RMA:
 - (a) Section 9: Land Use Consents
 - (c) Section 13: River and lake beds
 - (d) Section 14: Water
 - (e) Section 15: Discharge
2. A fuller assessment of the individual consents sought under the Tasman Resource Management Plan and relevant National Environmental Standards is contained in the Attachment 10 Planning Memorandum.

3.1.13 *Are there any other types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) you consider are needed to authorise the project (including any that may be needed by someone other than you as the applicant(s)). Provide details on whether these have been obtained*

3. A license to occupy is required from NZTA for the wastewater application area. NZTA has advised that it will grant a license to occupy (Attachment 12 License to Occupy correspondence).
4. To the extent that any part of the communal wastewater system is located on or under any land held by the Council or in private ownership, private wastewater easements or a license to occupy will be sought and registered on the relevant titles.

3.2 Project stages

1. The project will not "proceed in stages" as defined in ss 21(1)(a) and 42(1)(b) FTAA. Normal subdivision staging will apply.

3.4 Adverse effects

1. An assessment of adverse effects is contained in Attachment 10 Planning Memorandum. The project will not result in any significant adverse effects.

3.5.1 Persons affected

1. Administering agency: Ministry for the Environment
2. Local authority: Tasman District Council
3. Māori groups: Eight iwi are tangata whenua in Te Taihū (Rangitāne o Wairau, Ngāti Kūia, Ngāti Apapaki te Rā Tō, Ngāti Toa Rangitira, Ngāti Koata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui). Through consultation, the applicant identified that Ngāti Tama and Ngāti Rārua are interested in the project. There are no Mana Whakahoā ā Rohe or Joint Management Agreements.
4. Based on a landscape assessment commissioned by the applicant, the following persons are potentially affected to a minor degree by the project's visual amenity effects:
 - a. 207 Horton Road (s 9(2)(a))
 - b. 36 Westmere Drive (s 9(2)(a))
 - c. 43 Westmere Drive (s 9(2)(a))
 - d. 4 Amber Rise (s 9(2)(a))
 - e. 64 Westmere Drive (s 9(2)(a))
5. Upgrades to Stagecoach Road and the provision of a shared pathway for cyclists and pedestrians is a significant positive effect, but for those properties adjoining the gravel section of Stagecoach Road the construction phase will introduce effects that will likely be at least minor for a temporary period:
 - a. 66 Stagecoach Road (s 9(2)(a))
 - b. 76 Stagecoach Road (s 9(2)(a))
 - c. 77 Stagecoach Road (s 9(2)(a))
 - d. 78 Stagecoach Road (s 9(2)(a))
 - e. 90 Stagecoach Road (s 9(2)(a))
 - f. 99 Stagecoach Road (s 9(2)(a))
 - g. 100 Stagecoach Road (s 9(2)(a))
 - h. 106 Stagecoach Road (s 9(2)(a))
 - i. [unnumbered property at Stagecoach Road (s 9(2)(a))
)
 - j. 150 Stagecoach Road (s 9(2)(a))
 - k. 151 Stagecoach Road (s 9(2)(a))
 - l. 154 Stagecoach Road (s 9(2)(a)).

- m. 158 Stagecoach Road (s 9(2)(a))
 - n. 168 Stagecoach Road (s 9(2)(a))
 - o. 174 Stagecoach Road (s 9(2)(a))
 - p. 176 Stagecoach Road (s 9(2)(a))
 - q. 178 Stagecoach Road (s 9(2)(a))
 - r. 186 Stagecoach Road (s 9(2)(a))
 - s. 196 Stagecoach Road (s 9(2)(a))
 - t. 200 Stagecoach Road (s 9(2)(a))
 - u. 64 Westmere Drive (s 9(2)(a))
6. One property, 200 Stagecoach Road, has buildings, fencing and planting occupying the legal road. The effects on this property are different and additional to the temporary effects noted above. The owners are s 9(2)(a) and s 9(2)(a)
7. As set out above, NZTA owns the property that will be used for wastewater discharge (which will be the subject of a License to Occupy).

3.5.2 Consultation and how consultation has informed the project

Administering agencies

1. The Ministry for the Environment is the only relevant administering agency. The applicant wrote to MFE on 8 December 2025 requesting any feedback on the referral application. MFE responded by letter dated 12 December 2025 (Attachment 18). The letter provided a summary of national direction under the RMA. The national direction had already been factored into the project's design, where relevant.

Tasman District Council consultation

2. There was consultation with individual staff members at Tasman District Council by various Project team members to discuss individual aspects of the project including wetlands, stormwater, wastewater options including a communal wastewater system, Council water supply provision and roading in 2022-2023.
3. A pre-application meeting proceeded on 1 March 2023 with Council. The Applicant provided a preliminary concept subdivision layout and the initial site analysis and master plan. Issues discussed were 3 Waters, roading, walkway /cycleways, reserves, wetlands, potential soil contamination and need for a PSI.
4. A formal Pre Application response from Council was issued in May 2023 noting feedback.
5. A Resource Application was formally lodged with Council on 5 April 2024.

6. An RFI was issued by Council on the 5th of July detailing a range of matters including requiring Road Safety Audits, comments on alternative modes of transport, requiring a cycleway /walkway the full length of Stagecoach Road ,clarification of standards for walkways/cycleways, streetlighting emergency /secondary access option, Council requested reduced Reserve provision, additional walkway connections, affected parties confirmation, further earthworks details, information requests related to potential changes in interflow and overland flow recharge of wetlands and groundwater recharge, stormwater treatment, dam placement in waterways, wetland management, planting management and a range of further detail on the proposed communal wastewater system.
7. Council consulted the Applicant on the need for Council to engage a Landscape Architect to undertake a Landscape Peer review which was agreed to by the Applicant.
8. The Applicant responded to Council's RFI on the 5th of November 2024.
9. Council's Landscape peer review was issued on the 14th of November 2024.Applicant's response to the Landscape Peer review provided on the 19th of February 2025, covering Staging of Subdivision, phasing of earthworks and phasing of Plantings, requirements for Landscape Plans, proposal for Design guideline, confirmation of removal of stock, framework for the Ecological Planting Plan.
10. Meeting with relevant Council staff and Council Planning Consultant to discuss transportation and lighting issues 4th of March.
11. 12th of March 2025 Council issued a response to the Applicants RFI response on Stormwater Management issues as they related to the obligations under the NPS and NES on Freshwater, noting a remaining concern that locating 3 ,out of the 12 ,detention dams instream was considered a reclamation and the Council view was that there was no functional need for any stormwater detention dams to be instream.
12. 28th of August the Applicant responded to Council's 12th of March Council position RFI on Stormwater issues. This response noted that while there was not necessarily agreement on the Council interpretation of the NES -Freshwater regulations as they related to the functional need for 3 dams instream for the purpose of stormwater detention, the Applicant put forward an alternative design that removed the 3 remaining instream dams. For the western catchment this involved a minor relocation of one Dam, for the eastern catchment, it involved replacement of the two instream dams with a series of smaller dams outside of any watercourse.
13. 28th of August the Applicant advised Council on agreement to extend the walkway provision along the northern boundary enabling the opportunity for a future connection to a neighbour's subdivision. The Applicant confirmed standards for walkway/cycleway construction and confirmed the position on lighting.

14. 15th of September Council confirmed the Transportation Engineers position on walkway /cycleway construction standards, their position on lighting and their view on reliance on cars for transportation.
15. 14th of October 2025 Council responded on stormwater management issues including the alternative position of Dams put forward by the Applicant, confirming that including detention dams outside of waterways will not trigger NES Freshwater rules and will align with the NPS Freshwater policy.
16. 15th of October 2025 the Applicant closes out responses on RFI issues , acknowledging the position reached on stormwater issues, reconfirms the standard for walkways and cycleways ,noting the provision of walkways and cycleways enables choice of transport mode but that there will still be a reasonably high reliance on cars , the same as is the case for other Rural 3 developments and confirms that the Applicant would not oppose the Council preferred standard for lighting if the decision maker considers the standard necessary.
17. 8 December 2025 the Applicant advised the Council of its intention to apply for referral to the Fast-Track Approvals Act and requested any feedback. The Council's response (Attachment 19) said that:
 - a. A considerable amount of feedback has already been provided (as referenced in Attachment 2 of the applicant's letter to TDC)
 - b. TDC has received feedback on the project from neighbours
 - c. While all transport-related information has been provided (by the applicant to TDC), there remains a difference of opinion between the applicant and Council with regard to transport matters. While not elaborated on in the letter, reference to earlier correspondence indicates that this difference of opinion relates to TDC transportation officials' views: (1) on the formation of shared walking/cycling paths; and (2) that the development will result in high trip generation.
 - d. Council is currently processing a similar consent application for Tasman Bay Estates and the s 42A report is relevant to this application, especially regarding the proposed consent conditions and wastewater solution.
18. While TDC's letter did not not elaborate on the relevance of the Tasman Bay Estates material, the applicant has reviewed the documents that were linked in the Council's letter and notes the following matters which are stated in those documents about and which are potentially relevant to the Tahimana project (given similarities):
 - a. The Tasman Bay Estates site is in the Rural 3 Zone. Land in the Rural 3 Zone is not intended to be protected as rural land in perpetuity, and it is intended to accommodate a level of both residential and rural residential development. The applicable design guidance encourages cluster development. A large portion of the Rural 3 Zone remains in rural use, and aerial maps indicate that over 75 percent of the land area in the zone

is undeveloped, so there is no potential for inconsistency with Policy 7.3.3.7 (which seeks a ratio of 25 percent development area to 75 percent open space).

- b. The site is located in the Wastewater Management Area (WMA) as defined in the TRMP. Wastewater discharge to land is a non-complying activity.
- c. The application was limited notified, and 18 submissions were made of which 16 oppose the application and 14 wish to be heard. Submitters raise a wide range of issues include some outside the scope of resource management matters.
- d. The s 42A report writers consider that “matters relating to appropriateness of development in this location relating to ... transport related greenhouse gas emissions, strategic planning and zoning reviews are not considered appropriate to assess at resource consent level. ... the TRMP has identified the Rural 3 Zone as appropriate for residential and rural residential development, subject to a number of considerations. Any consideration of the appropriateness of the Rural 3 Zone location is something to be considered as part of a higher-level plan review.” (at 5.11) In relation to effects on the surrounding road network, expert assessments of the proposal found that traffic effects were no more than minor.
- e. The site is currently in use as pasture. However, the National Policy Statement for Highly Productive Land 2022 does not apply as the Rural 3 Zone is not a ‘general rural or rural production zone’ (and therefore the land does not meet the transitional definition of Highly Productive Land as specified in Section 3.5(7)).
- f. In considering rural landscape and character effects, it is important to consider the purpose of the Rural 3 Zone. In the Rural 3 Zone, the Plan provides a specific framework (including design guidance through the 'Coastal Tasman Area Subdivision and Development Design Guide') to enable more intensive subdivision and development in appropriate circumstances.
- g. With respect to water infrastructure, the overall effects of the stormwater discharge can be avoided, remedied or mitigated. Reticulated wastewater in this location is not currently an option, however the proposed discharge of domestic wastewater via a communal treatment system is appropriate for the site and scale of development and can be managed appropriately. The performance of the wastewater system will be managed by the subdivider or the Residents’ Association that takes over communal facilities. Any pipes located within the legal road that relate to the private wastewater or stormwater systems proposed should remain in the ownership of the resident’s association which will be responsible for any maintenance required. A licence to occupy will be required.

19. As set out above feedback from TDC has significantly shaped the application. The applicant has also reviewed the consent conditions proposed by TDC for Tasman Bay Estates. When preparing its substantive application, the applicant will consider whether any amendments to its own volunteered conditions are appropriate to align with those recommended by TDC for Tasman Bay Estates.

NZTA

20. Consultation commenced in 2022 with NZTA regarding the Project given the proximity of SH60. This gave the opportunity to discuss access options, issues that NZTA wished the Applicants to address in the design, which included reverse sensitivity issues between the development and potential exposure to traffic noise, options for utilising an area of Crown land identified as no longer needed for roading purposes to be available to the Applicant for treated wastewater to be discharged to land, and options for walkway /cycleway linkages.

21. There was a follow up response from NZTA confirming the conditions they would want met in terms of the design noise levels to be achieved by any dwellings, and advice on their strategy to reduce travel demand and encourage modal shift of transport. There was confirmation NZTA was open to the Applicant utilising part of Crown land administered by NZTA for the discharge of treated wastewater.

22. Following the initial consultation there was ongoing consultation with the Property section of NZTA over agreement in principle to a Licence to Occupy for discharge of treated wastewater.

23. Once the RMA Application was completed this was provided to NZTA /Waka Kotahi Regional office on 9 April 2024 with an invitation to review the Application and meet with the Applicant's representatives to discuss any issues or further information required.

24. On the 27th of June 2024, NZTA provided their affected party written approval and thanked the Applicant for the copy of the Resource Application and acknowledged that it incorporated NZTA's feedback provided from preliminary consultation

25. On the 30th of September 2024, following informal discussions, the Applicant formally consulted NZTA on the possibility of agreement to the use of an NZTA access(not a public access) to SH60 as an emergency access to address an issue raised in an RFI by Tasman District Council .

26. On the 9th of October 2024 NZTA responded confirming they were happy for the Applicant to confirm through the RFI response to Council the availability of the access, controlled by NZTA, as emergency access only.

Iwi

27. The Applicant initiated consultation with 8 Te Tau Ihu iwi in 2022 to understand their interest in the project and, if they had an interest, how they wished the Applicant to engage. The Applicant followed up that initial consultation by phone and email.

28. Responses were provided by Te Rūnanga o Ngāti Rārua, Te Rūnanga o Ngāti Tama and Te Ātiawa that they wished to be consulted.
29. Te Ātiawa provided a questionnaire they wished completed, and requested an Accidental Discovery Protocol Condition, in May 2022. The questionnaire was completed and returned.
30. Ngāti Rārua confirmed they wished to be consulted and provided an engagement protocol and requested further information on the project.
31. Further information was provided to the 3 interested iwi in November 2022.
32. An online hui was held with Ngāti Rārua and Te Ātiawa in January 2023. A separate online meeting with Ngāti Tama occurred in December 2022.
33. A site Visit with Ngāti Rārua and Te Ātiawa representatives was undertaken in March 2023.
34. Ngāti Rārua advised they wished to have a Cultural Values Statement produced before deciding if a Cultural Impact Assessment was required. The Cultural Values Statement was completed in November 2023 and the Applicant responded in January 2024 confirming the actions that would be taken and conditions volunteered to address the matters raised.
35. An online meeting with Ngāti Tama occurred in January 2024, followed by a site visit with Ngāti Tama representatives.
36. A site visit with Ngāti Tama was undertaken in early February 2024. This was followed up by Ngāti Tama requesting a Cultural Impact Assessment, which was completed in March 2024.
37. Following the applicants' response to the initial Cultural Values Statement and Cultural Impact Assessment, an updated Cultural Values Statement from Ngāti Rārua (Attachment 4) and finalised Cultural Impact Assessment from Ngāti Tama (Attachment 5) were received. These documents set out their support for the project, subject to the listed recommendations being implemented. The applicant has agreed to ongoing consultation and engagement with Ngāti Tama and Ngāti Rārua through the resource consent phase and detailed design phase, and that following the issue of the resource consents:
 - a. Tahimana will engage and consult over the wetland and waterway restoration planting plans and species to be used for planting (which will be indigenous species).
 - b. Tahimana will engage and consult on the wetland maintenance and monitoring plan which will be implemented through a Consent Notice being imposed on each new allotment containing a wetland/wetlands. The wetland maintenance and monitoring plan will include as a minimum, a prohibition on any drainage or partial drainage of a wetland, a requirement for

inspections of the wetland, requirements for removal of weeds and replacement of any wetland planting that has died.

- c. Tahimana will provide the opportunity for engagement and design input to reflect cultural values and enable cultural education through the use of Mātauranga Māori visually within the development. This may include, but not necessarily limited to, signage, story boards within the reserve, walkways, lookout areas and entrance treatment. As noted above there will be opportunity for input into the detailed design for restoration planting of the wetland and waterway areas.

38. Tahimana also agreed to volunteer as a consent condition:

- a. To engage a mandated iwi monitor for any earthworks to be undertaken within 10m of wetland areas (which will include the construction of boardwalks over the wetland) and identified waterways within the concept design plans.
- b. For an Accidental and Discovery Protocol (ADP) to be included as a Consent Condition to will work with iwi over the wording of the ADP.
- c. Requiring the appointed iwi Monitor and Project Archaeologist to be invited, prior to earthwork commencing, to brief contractors onsite to highlight the requirements of the ADP and provide advice on possible archaeological evidence of finds or occupation that may be uncovered during earthworks.

39. The finalised Application document was provided through the updated Dropbox to Ngāti Rārua and Ngāti Tama on the 8th of April 2024.

40. In April 2024 Tahimana Ltd advised Ngāti Rārua and Ngāti Tama of its intention to apply to be listed in the Fast-Track Approvals Act.

41. There was a meeting on the 29th of July 2024 with Ngati Rārua's Environmental Planner to update her on the Project given the role changes at Ngāti Rārua.

42. An update was given to Ngāti Rārua and Ngāti Tama on the 8th of November 2024 advising of the Council's RFI and the Applicants response and providing a link to the Dropbox containing the RFI response.

43. A further update was provided to Ngāti Rārua and Ngāti Tama on 8 December 2025 advising of the Applicant's response to the second RFI, providing a link to the Dropbox containing the RFI response, advising of the Applicant's intention to apply to be referred to the Fast Track Approvals Act process and requesting any further feedback.

44. No response has been received to the latest request for any further feedback.

Neighbours

45. The Applicants have consulted with 3 neighbouring landowners who have a potentially greater interest in the project given the location of their properties.

- a. s 9(2)(a) and s 9(2)(a) own the property on the eastern boundary of the Subject Site, at 36 Westmere Drive. They have a large, regionally significant wetland on their property that they have restored. The Applicant has been in consultation with these neighbours since around 2022 to discuss their project and the Applicant's assessment of wetlands on the subject land, which are degraded with little current habitat value. The Applicant has discussed their Plans for restoration planting of the subject property wetlands, and proposals for stormwater management and earthworks to ensure that the development on the subject land does not adversely impact this neighbour's wetland. There have been regular updates between the Applicant and these neighbours, culminating in providing these neighbours with a copy of the RMA application.
- b. The Applicant has consulted with s 9(2)(a), who own 208 Stagecoach Road and currently have buildings, a portion of driveway, landscaping and fencing occupying the legal Road reserve. The Applicant has discussed the Stagecoach Road upgrade from a gravel / dirt track standard to a full upgrade to a sealed road with provision for a cycleway /walkway. The Applicant has identified a design option of retaining being undertaken to avoid impacts on their Buildings. These neighbours have been provided with a copy of the RMA application including the preliminary road design plans.
- c. The Applicant has consulted s 9(2)(a), one of the owners of land at 64 Westmere Road, which adjoins the Applicants land. Their land also has frontage to Stagecoach Road but currently no formed access from that Road as access to this property is from Westmere Road . The Applicant has provided these neighbours with a copy of the application lodged under the RMA.

Other interested groups

46. There has been ongoing consultation with the Tasman Area Community Association/Tasman Environmental Trust) since late 2021 regarding the Trust's Te Mamaku Drive Native Corridor project which involves the creation of a green corridor adjacent to the State Highway through revegetation planting. There is shared interest in the revegetation of the applicant's frontage to the State Highway. There is ongoing consultation updating each party as to their respective projects and areas for cooperation.

3.5.3 Treaty settlements

1. Three Settlement Acts covering eight Treaty settlements apply to the project area:
 - a. The Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 implements the:
 - i. Ngāti Kōata Deed of Settlement signed on 21 December 2012 (Amendment Deeds were signed on 8 August 2013 and 2013 and 29 July 2014);

- ii. Ngāti Rārua Deed of Settlement signed on 13 April 2013 (a Deed to amend the Deed of Settlement was signed on 25 October 2013);
 - iii. Ngāti Tama ki Te Tau Ihu Deed of Settlement signed 20 April 2013 (a Deed to amend the Deed of Settlement was signed on 5 October 2013); and
 - iv. Te Ātiawa o Te Waka-a-Māui deed of settlement signed on 21 December 2012 (a Deed to amend the Deed of Settlement was signed on 25 October 2013).
 - b. Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014 implements the:
 - i. Ngāti Apa ki te Rā Tō Deed of Settlement signed on 29 October 2010 (Amendment Deeds were signed on 12 February 2013, 8 August 2013 and 25 July 2014);
 - ii. Ngāti Kuia Deed of Settlement signed on 23 October 2010 (Amendment Deeds were signed on 8 August 2013, 25 July 2014 and 17 December 2014); and
 - iii. Rangitāne o Wairau Deed of Settlement signed on 4 December 2010 (Amendment Deeds were signed on 13 December 2012, 25 October 2013, 1 May 2014 and 25 July 2014).
 - c. Ngāti Toa Rangatira Claims Settlement Act 2014 implements the Ngāti Toa Rangatira Deed of Settlement signed on 7 December 2012. A Deed to amend the Deed of Settlement was signed on 5 November 2013.
- 2. The project is consistent with these settlements.
- 3. A summary of the relevant provisions and principles of these Treaty settlements and their relevance to the project is set out below:
 - a. There are no statutory acknowledgments over the subject site. There are statutory acknowledgements over Te Tau Ihu Coastal Marine Area (approximately 2 km to the east) and Moutere River (approximately 1 km to the west). It is acknowledged that the coastal environment is the ultimate receiving environment for sediment control/stormwater discharges. With respect to this the following is noted that:
 - i. Appropriate provision will be made for the management of stormwater quality and flow.
 - ii. Earthworks will be managed to address erosion and sediment generation and accord with current best practise techniques.
 - iii. The project includes the protection and enhancement of wetlands which contribute to water quality and ecosystem values downstream

- b. The deeds of settlement (listed above) contain a series of acknowledgements by the Crown where its actions have breached the Treaty of Waitangi and its principles, and record the matters required to give effect to a settlement of all the historical claims.
- c. The settlements provided redress in the form of land, cash, the right of first refusal of certain Crown lands, and matters such as facilitation of ongoing relationships with government agencies, imposition of overlay classifications and statutory acknowledgements placed over land sites, statements of association, place name changes, an agreed historical account and an apology from the Crown.
- d. The settlements provide for the promotion of relationships between the relevant iwi and local authorities. The Tasman District Council (amongst others) is encouraged to enter into a memorandum of understanding with the relevant iwi.
- e. Conservation, fisheries, taonga tūturu and mineral protocols must be issued by the responsible Minister to encourage good working relationships on matters of cultural importance.
- f. Provision is made for participation in an advisory committee for input into (primarily) local authority planning and decision making in relation to the management of rivers and fresh water under the RMA and, if the committee and the council agree, the committee may provide written advice to the Council on any other matter in relation to the RMA.
- g. There is no private land involved in the settlements, and overlay classifications relate to sites administered by the Department of Conservation. That part of the application site that the license to occupy will apply to is subject to rights of first refusal under the Settlement Acts, which does not affect and is not affected by the ability to grant the license to occupy. The application site is therefore unaffected by the Acts.
- h. Through initial consultation, Ngati Rārua advised it wished to undertake a Cultural Values Statement and Ngāti Tama undertook a Cultural Impact Assessment. In response to the recommendations of those documents, the Applicant has agreed to ongoing consultation with Ngāti Tama and Ngāti Rarua together with agreement to volunteer conditions responding to matters raised by those iwi.

3.6 Legal interests

1. The application site comprises:
 - a. CT 573241 (Lot 1 DP 450728 and Lot 3 DP 450728), owned by Tahimana Ltd
 - b. CT 600148 (Section 34 Survey Office Plan 440217), owned by NZTA
2. The titles are attached as Attachment 2.

3.7.4 Climate change and natural hazards

1. The project contributes to climate change adaptation by supporting housing in a location that is not at risk from sea level rise, and where other climate change-related risks are at most low. Climatic warming will increase the exposure of the built environment to natural hazards by exacerbating existing hazards such as flooding and land instability. The proposed development has limited exposure to natural hazards. Pre-development, the land has low risk of being adversely affected by land instability or flooding/inundation hazards. Following development and with appropriate design inputs on stormwater controls and earthworks, the vulnerability of the project to increased natural hazards due to climate change effects will remain low.
2. The natural hazards that can potentially adversely affect large-scale land development projects are seismic shaking, land instability (erosion, falling debris, slips, subsidence) or flooding/coastal inundation. The risks of those hazards range from nil to low at this site.
3. These matters are addressed further in Attachment 8 Natural Hazards and Climate Change Report.
4. The restoration of the wetlands and streams will reduce risks arising from natural hazards beyond the site. The increase in area of dense native vegetation in and around the wetlands and streams (which are currently in pasture) will reduce the rate at which stormwater enters the system and thereby reduce the potential for flooding and erosion downstream. See Attachment 9 Ecology report.

3.8.1.1 Approvals under the Resource Management Act 1991

An assessment of the project against any relevant national policy statement, any relevant national environmental standards and, if relevant, the New Zealand Coastal Policy Statement.

1. An assessment of these documents is contained in Attachment 10 Planning Memorandum.